

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 91 Session of 2019

INTRODUCED BY GROVE, KIRKLAND, JAMES, KAUFFMAN, HILL-EVANS,
 KORTZ, MILLARD, SAYLOR, ZIMMERMAN, DELOZIER, JONES, MATZIE,
 TOOHIL, RADER, BERNSTINE, NEILSON, HERSHEY AND FRITZ,
 JANUARY 28, 2019

REFERRED TO COMMITTEE ON HEALTH, JANUARY 28, 2019

AN ACT

1 Amending the act of September 27, 1961 (P.L.1700, No.699),
 2 entitled "An act relating to the regulation of the practice
 3 of pharmacy, including the sales, use and distribution of
 4 drugs and devices at retail; and amending, revising,
 5 consolidating and repealing certain laws relating thereto,"
 6 further providing for authority to administer injectable
 7 medications, biologicals and immunizations.

8 The General Assembly of the Commonwealth of Pennsylvania
 9 hereby enacts as follows:

10 Section 1. Section 9.2 of the act of September 27, 1961
 11 (P.L.1700, No.699), known as the Pharmacy Act, is amended to
 12 read:

13 Section 9.2. Authority to Administer Injectable Medications,
 14 Biologicals and Immunizations.--(a) The board shall by
 15 regulation establish education and training standards and
 16 practice guidelines pursuant to which pharmacists shall be
 17 authorized to administer injectable medications, biologicals and
 18 immunizations to persons who are more than [eighteen] nine years
 19 of age [and influenza immunizations] by injectable or needle-

1 free delivery methods [to persons nine years of age and older].
2 Such standards and guidelines shall include, but not be limited
3 to, the following:

4 (1) Satisfactory completion of an academic and practical
5 curriculum approved by the board that includes the current
6 guidelines and recommendations of the Centers for Disease
7 Control and Prevention in the Public Health Service of the
8 United States Department of Health and Human Services, the
9 American Council on Pharmaceutical Education or a similar health
10 authority or professional body and includes, but is not limited
11 to, disease epidemiology, vaccine characteristics, injection
12 technique, emergency response to adverse events and related
13 topics.

14 (1.1) Accept as proof of education and training standards
15 the immunization credentials or a license of an individual who,
16 at the time of filing an application is licensed as a pharmacist
17 and has immunization credentials or a license, if applicable, in
18 another state or territory of the United States.

19 (2) Maintenance of a current cardiopulmonary resuscitation
20 (CPR) certificate acceptable to the board.

21 (3) That the administration of injectable medications,
22 biologicals and immunizations be in accordance with a definitive
23 set of treatment guidelines established by a physician and the
24 Centers for Disease Control and Prevention, Advisory Committee
25 on Immunization Practices guidelines or another competent
26 authority approved by the board.

27 (4) That a minimum of two hours of the thirty-hour
28 requirement for continuing education for license renewal be
29 dedicated to this area of practice.

30 (5) For individuals under eighteen years of age, that

1 parental consent be obtained prior to administration.
2 Administration of [influenza] immunizations by injectable or
3 needle-free delivery methods shall be in accordance with the
4 immunization schedule established by the Centers for Disease
5 Control and Prevention, the Advisory Committee on Immunization
6 Practices or another competent authority.

7 (6) Maintenance of a level of professional liability
8 insurance coverage in the minimum amount of one million dollars
9 (\$1,000,000) per occurrence or claims made. Failure to maintain
10 insurance coverage as required shall subject the licensees to
11 disciplinary proceedings. The board shall accept as satisfactory
12 evidence of insurance coverage any of the following:

- 13 (i) personally purchased liability insurance;
- 14 (ii) professional liability insurance coverage provided by
15 the individual licensee's employer; or
- 16 (iii) similar insurance coverage acceptable to the board.

17 (7) Notification of the individual's primary care provider,
18 if known, within forty-eight hours of administration.

19 (b) A pharmacist's authority to administer injectable
20 medications, biologicals and immunizations shall not be
21 delegated to any other person. A pharmacy intern who has
22 completed a course of education and training which meets the
23 requirements of subsection (a) (1) and (2) may administer
24 injectable medications, biologicals and immunizations to persons
25 who are more than [eighteen] nine years of age [and influenza
26 immunizations] by injectable or needle-free delivery [methods to
27 persons nine years of age and older] and only under the direct,
28 immediate and personal supervision of a pharmacist holding the
29 authority to administer injectable medications, biologicals and
30 immunizations.

1 Section 2. This act shall take effect in 60 days.